

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	John Border <i>et al.</i>	Confirmation No.: 1446
Application No.:	09/662,072	Group Art Unit: 2157
Filed:	September 14, 2000	Examiner: El, Chanti, Hussein
Attorney Docket:	PD-200053	

For: PERFORMANCE ENHANCING PROXY AND METHOD FOR ENHANCING
PERFORMANCE

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In a telephonic conversation initiated by Applicant's representative to Ms. LaShawn Hinton, Patent Appeal Center Specialist, on April 1, 2009, attempting to clarify the grounds for the Notification of Non-Compliant Appeal Brief of March 17, 2009, Ms. Hinton agreed that the Notification should not have been sent and would be withdrawn.

Accordingly, this should serve as a complete response to the Notification of Non-Compliant Appeal Brief of March 17, 2009.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

April 2, 2009
Date

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